

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KISHA BARI,

Plaintiff,

**MEMORANDUM & ORDER**  
20-CV-310 (EK) (RER)

-against-

IMPREMEDIA OPERATING COMPANY, LLC,

Defendant.

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ERIC KOMITEE, United States District Judge:

Plaintiff, a photographer, alleges that Impremedia Operating Company, LLC featured one of Plaintiff's photographs on its website without permission, in violation of 17 U.S.C. §§ 106, 501(a)-(b). The Defendant failed to appear or otherwise defend against the action. At the Plaintiff's request, the Clerk of the Court entered a Certificate of Default on May 14, 2020. ECF No. 8. On June 30, 2020, the Plaintiff moved for default judgment, ECF No. 9, and the Court referred that motion to Magistrate Judge Ramon E. Reyes for a Report and Recommendation ("R&R"). See Minute Entry dated July 1, 2020.

On January 8, 2021, Judge Reyes issued an R&R recommending that the Court grant Plaintiff's motion for default judgment and award Plaintiff \$1,000 in statutory damages, \$600 in attorney's fees, and \$440 in costs. ECF No. 18. Neither party has filed an objection to the R&R and the time to do so

has expired. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Accordingly, the Court reviews the R&R for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord *Gesualdi v. Mack Excavation & Trailer Serv., Inc.*, No. 09-CV-2502, 2010 WL 985294, at \*1 (E.D.N.Y. Mar. 15, 2010). Having reviewed the record, the Court finds no clear error. Accordingly, the Court adopts the R&R in its entirety pursuant to 28 U.S.C. § 636(b)(1).

Therefore, the Court grants Plaintiff's Motion for Default Judgment and awards Plaintiff \$1,000 in statutory damages, \$600 in attorney's fees, and \$440 in costs. The Clerk of Court is respectfully directed to enter judgment and close this case.

SO ORDERED.

/s Eric Komitee  
ERIC KOMITEE  
United States District Judge

Dated: February 24, 2021  
Brooklyn, New York